

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Agriculture & Cooperation Department – Sri K. Lakshminarayana, Ex- Asst. Director of Agriculture (R), Gajapathinagaram and former PIA-II of IWDP.III Project and present Asst. Director of Agriculture (SC), Srikakulam – Committed certain irregularities of IWDP Funds – Disciplinary action initiated - Punishment imposed – Appeal Rejected – Review Petition Allowed - Orders - Issued.

AGRICULTURE AND COOPERATION (Vig.I) DEPARTMENT

G.O.Rt.No.1242

Dated:13-10-2008

Read the following:-

1. Proceedings No. Vig.II(4)658/2003, Dt. 26-8-2005 of the Commr. & Director of Agriculture, Hyderabad.
2. From Sri K. Lakshminarayana, ADA(SC), Srikakulam, appeal petition dated 2-10-2006.
3. From the C&DA., Hyd., Lr.Rc.;No.Vig.II(4)593/2006, dated 16-11-2006.
4. Govt. Memo No.14697/Vig.I/1/2006-1, Dt. 21-12-2006.
5. From the C&DA., Hyd., Lr.Rc.;No.Vig.II(4)593/2006, dated 10-01-2007.
6. G.O.Rt.No.642 A, A&C(Vig.I) Dept., dated: 25-5-2007.
7. From Sri K.Lakshminarayana, ADA® Gajapathinagaram Review petition dated 25-6-2008.

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ORDER:-

Based on the report of the District Collector and Chairman, DWMA., Vizianagaram the Commissioner & Director of Agriculture, Hyderabad placed Sri K. Lakshminarayana Ex- Asst. Director of Agriculture (R), Gajapathinagaram under suspension and initiated disciplinary action against him by framing (7) articles of charges. The Inquiry Officer in his findings held all the charges against the Charged Officer are not proved. The Commissioner & Director of Agriculture, Hyderabad after carefully examining the representation of the individual and the Inquiry Report had imposed the penalty of stoppage of two increments without cumulative effect against Sri K. Lakshminarayana, former Assistant Director of Agriculture(R), Gajapathinagaram.

2. Aggrieved by the above orders, Sri K. Lakshminarayana, Assistant Director of Agriculture (SC), Srikakulam filed an appeal petition before Government and requested to set aside the punishment. Government after carefully examining the matter, had dismissed the appeal petition and confirmed the penalty imposed by the Commissioner & Director of Agriculture, Hyderabad against him.

3. Sri K. Lakshminarayana, Asst. Director of Agriculture (SC), Srikakulam, therefore, has filed a review petition against the orders in appeal petition issued by the Government. In respect of point I, he has submitted that five water shed committees passed resolutions to take up growing nurseries in other water sheds as there were no rains and no water in their areas; accordingly Rs.70,000/- were pooled-up and deposited in the account of PIA and spent that full amount for growing seedling and the seedling were supplied to the water sheds concerned; this aspect of work was done completely without loss of seedlings and season and there was no misappropriation or misutilisation of amount. This amount was not drawn as advance for out-right purchase; and this amount was deposited in the account of PIA as per the instructions of Project Director, and incurred expenditure properly for growing nursery. The Subject officer in respect of point 2 has submitted that the Project Director, DWMA had not provided any assistance to PIA to render work to the watershed; and that 5% administrative charges were allotted in the allocation of funds and expenditure on contingent items such as wages etc. had to be incurred within the limit of 5% without any sanction; and that the wages of Rs.2,800/- for the 3 months of April, May and June, 2003 were paid without exceeding the limit of 5% administrative charges just

like all other PIAs; and that there was a contingent expenditure of less than Rs.934/- per month and paid to the Draughtsman without any misutilisation of funds; and that no specific or separate sanction need be obtained for that item of expenditure as that was within 5% allocated funds under administrative charges. The subject officer in respect of point 3 has submitted that actually there was no cash balance as per cash book and the balance of cash was nil. Hence the question of handing over cash balance or to make available the cash balance does not arise and the Accounts Officer, office of the Project Director, DWMA had completely audited the accounts, and that he also requested the Project Director, DWMA to instruct Sri D.Kamaraju Asst. Director of Agriculture (Retd) to take remaining charge including telegraphic requests, but Sri D.Kamaraju Asst. Director of Agriculture (Retd) did not report against him and later he was removed from service, hence he could not handover the charge completely and subsequently the remaining records was handed over to Sri K.Satyanaryana, Deputy Director of Agriculture (Retd) on 10-4-2004, when he was under suspension. Further the Subject Officer has submitted that he has taken much care and responsibility in producing all records to audit and handing over complete charge to his successor.

4. The Subject Officer has further submitted that he was placed under suspension w.e.f. 1-11-2003 without proper reasons and proper inquiry and was continued till 19-4-2006 for no fault of him. Hence he has requested to reconsider the whole issue favorably and exonerate him from all the charges and set aside the proceedings dt. 26-8-2006 issued by the Commissioner & Director of Agriculture.

5. After careful examining the review petition submitted by Sri K.Lakshminarayana, Asst. Director of Agriculture (SC), Srikakulam with reference to the records available and considering the reasons mentioned in his representation Government observes that the disciplinary authority had observed in the disagreement factors that the officer had to take specific sanction for meeting any type of expenditure though he took oral instructions from the higher officers and that the officer failed to make available the cash book with balance of cash and vouchers and their accounts to the Chartered Accountant though he might have handed over them later. Though there are lapses on the part of the petitioner to the above extent in the absence of any misappropriation or misuse of Government money the request of the petitioner made in the present review may need consideration, and hence it is decided to drop further action against him and to regularize the period of suspension as on duty.

6. Accordingly, Government hereby set aside the proceedings dated 26-8-2006 issued by the Commissioner & Director of Agriculture and drop further action against Sri K.Lakshminarayana, Asst. Director of Agriculture (SC), Srikakulam. The suspension period from 1-11-2003 to 19-4-2006 is also regularized by treating the period as on duty under sub-rule 4 of Rule 54 (B) of Fundamental Rules.

7. The Commissioner and Director of Agriculture ,A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RACHEL CHATTERJEE

PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K. Laxminarayana, Asst. Director of Agriculture (SC), Srikakulam.
through Commissioner & Director of Agriculture, Hyderabad.

Copy to:

The Commissioner and Director of Agriculture, Hyderabad.
SF/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER